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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,106	04/08/2004	Marko Viitamaki	879A.0023.U1(US)	8992
29683	7590	07/11/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			NGUYEN, DAVID Q	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 07/11/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/821,106

Applicant(s)

VIITAMAKI ET AL.

Examiner

David Q. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 and 29-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 9-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9,11,13-16,18,20-24,26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu (US 2004/0176065 A1).

Regarding claims 9,16 and 23, Liu discloses a device arrangement comprising a first device of a cellular network (see fig. 1, radio telephone 104), which device has a transmitter (see fig. 1, antenna of radio 104), a receiver (see fig. 1, see fig. 1, antenna of radio 104) and a control unit (a radio telephone comprising a control is well known in the art), as well as means for utilizing Bluetooth properties (see par. 0017), and a second device (see fig. 1, the wireless accessory 102) having an user interface (see fig. 1, user interface 120) and means for utilizing Bluetooth properties arranged to communicate with the first device by Bluetooth (see par. 0017). wherein the activity state of the user interface utilization in the second device is arranged to control the level of the Bluetooth power save mode wherein active user interface utilization is

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arranged to decrease said level of the power save mode and/or less active user interface utilization is arranged to increase said level of the power save mode (see par. 0021 and 0025-0026 and fig. 1).

Regarding claims 11,18, and 24, Liu also discloses wherein said user interface is remote from the first device to the second device (see fig. 1).

Regarding claims 14, 21 and 27, Liu also discloses wherein said user input is received by one of the following acts on the second device: a touch on a key, keypad or touch sensitive display, opening or closing of a lid or an opening mechanism of the second device, or a specific sound input on the device's microphone or like (see par. 0021 and 0025-0026 and fig. 1).

Regarding claims 13,15, 20,22,26, and 28, Lee et al. also discloses wherein said activity state of the user interface utilization is defined by user input on the second device or lack of it for a chosen period of time (see par. 0022); wherein said activity state of the user interface utilization is defined by selection or starting of an application using Bluetooth in a menu or like in the second device (see par. 0021 and 0025-0026 and fig. 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 2004/0176065 A1) in view of Myhre et al. (US 2004/0203737 A1).

Regarding claims 10 and 17, the first device of Liu does not mention means for utilizing WLAN properties. However, Myhre et al. discloses a mobile device comprising means for utilizing WLAN properties (see fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Myhre et al. to Liu in order to allow the mobile device to interact with wireless telephone, interact with WLAN and Bluetooth so that users can select wireless phone or WLAN or Bluetooth as they want.

4. Claims 12,19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 2004/0176065 A1) in view of Ha et al. (KR 2003012635 A).

Regarding claims 12,19 and 25, Liu does not mention wherein said activity state of the user interface utilization is defined by the state of at least one of the following in the second device: the lock state of a lockable keypad, the lock state of a lockable touch sensitive display, the state of a screensaver, the lock state of a lockable screensaver and the state of a lid or an opening mechanism of the device. However, Ha et al. discloses an activity state of the user interface utilization is defined by the state of at least one of the following in the second device: the lock state of a lockable keypad, the lock state of a lockable touch sensitive display, the state of a screensaver, the lock state of a lockable screensaver and the state of a lid or an opening mechanism of the device (see abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Ha et al. to Liu in order to reduce unnecessary current consumption and prevent the outflow of a user profile through the screen.


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***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
David Q Nguyen  
Examiner  
Art Unit 2617

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER